United Nations A/HRC/25/L.31

General Assembly

Distr.: Limited
24 March 2014

Original: English

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria, Costa Rica, Croatia,* Cyprus,* Denmark,* France, Gabon, Georgia,* Greece,* Honduras,* Hungary,* Italy, Latvia,* Lithuania,* Luxembourg,* Maldives, Montenegro, Morocco, Netherlands,* Peru, Poland,* Romania, Slovakia,* Slovenia,* Spain,* Switzerland,* Tunisia,* Uruguay:* draft resolution

25/... Human rights and the environment

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Reaffirming Human Rights Council resolutions 16/11 of 24 March 2011 and 19/10 of 22 March 2012, and recalling that, in the latter, the Council decided to establish the mandate of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment,

Recalling other relevant Human Rights Council resolutions on human rights and climate change, on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, on the human right to safe drinking water and sanitation, and on the right to food as well as relevant Commission on Human Rights resolutions on human rights and the environment as part of sustainable development,

Recalling also the Declaration of the United Nations Conference on the Human Environment, the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on

* Non-member State of the Human Rights Council.

Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development,

Welcoming the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document "The Future We Want", and aiming to contribute to follow-up processes, including the identification and realization of the sustainable development goals,

Recognizing that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environment needs of present and future generations equitably, and that the human person is the central subject of development and should be the active participant and beneficiary of the right to development,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling the Guiding Principles on Business and Human Rights, as endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011,

Recognizing that sustainable development and the protection of the environment can contribute to human well-being and to the enjoyment of human rights,

Recognizing also, conversely, that climate change, unsustainable management and use of natural resources and the unsound management of chemicals and wastes represent threats to the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of human rights, in particular of the right to life, the right to the enjoyment of the highest attainable standard of physical and mental health, the right to an adequate standard of living and its components, such as the right to food, and the rights to safe drinking water and sanitation, and to adequate housing,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population who are already in vulnerable situations,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

1. *Notes with appreciation* the reports of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment submitted to the the Human Rights Council at its twenty-second[1] and the twenty-fifth[2] sessions ;

2. *Welcomes* the work undertaken to date by the Independent Expert in studying and clarifying aspects of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

3. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights and of the United Nations Environment Programme on the issue of human rights and the environment;

[1] A/HRC/22/43.

[2] A/HRC/25/53 and Add.1 and 2.

4. *Recognizes* that human rights law sets out certain procedural and substantive obligations on States in relation to the enjoyment of a safe, clean, healthy and sustainable environment, which include:

(*a*) To respect and protect the right to seek, receive and impart information and to provide information on and for assessments concerning environmental impacts on human rights;

(*b*) To respect and protect the rights of freedom of expression, association and peaceful assembly, including by facilitating and providing for meaningful opportunities to participate in decision-making processes;

(*c*) To ensure access to effective remedies where human rights and fundamental freedoms are violated;

(*d*) To adopt and implement laws and other measures to ensure that human rights are respected and protected in the context of environmental policies;

(*e*) To protect against non-State human rights abuses, including by enforcing environmental laws that directly or indirectly contribute to the protection of human rights;

5. *Reaffirms* the importance of non-discrimination in the application of environmental laws, but also of paying due attention to the members of groups particularly vulnerable to environmental harm, bearing in mind that environmental damage is felt most acutely by those segments of the population already in vulnerable situations;

6. *Recognizes* the role of human rights obligations and commitments in informing and strengthening international, regional and national policymaking in the area of environmental protection, and the importance of identifying best practices in that regard;

7. *Urges* States to comply with their human rights obligations when developing and implementing their environmental policies;

8. *Recognizes* the important role played by human rights defenders working on environmental issues in trying to promote sustainable development and finding a balance between economic and social development and environmental protection, and urges States to create a safe and enabling environment in which these human rights defenders can operate free from hindrance and insecurity, in the whole country and in all sectors of society, including by extending support to local human rights defenders;

9. *Also recognizes* the importance of giving due consideration to human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment while shaping the post-2015 development agenda, in particular while defining concrete goals, targets and indicators;

10. *Stresses* the particular relevance of international cooperation in addressing the threats to the enjoyment of human rights that result from transboundary environmental harm;

11. *Recognizes* the need to clarify further the human rights obligations of States related to transboundary environmental harm;

12. *Welcomes* the cooperation extended to date to the Independent Expert by different actors, and calls upon all States to continue to cooperate with the Independent Expert in the discharge of his mandate and to respond favourably to requests for information and visits;

13. *Requests* the High Commissioner to continue to ensure that the Independent Expert receives the resources necessary to enable him to discharge his mandate fully;

14. *Decides* to continue its consideration of this matter under the same agenda item and in accordance with its programme of work.